

Docket No. MIT5038USNP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: T. C. May, et.al.

Serial No. : 10/808,764

Art Unit: 3733

Filed

: March 25, 2004

Examiner: R.R. Shaffer

For

: IMPLANTABLE CROSS-PIN

FOR ANTERIOR

CRUCIATE

LIGAMENT REPAIR

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

February 22, 2006
(Date of Deposit)

E. Richard Skula (Name of applicant, assignee, or Registered Representative)

/E. Richard Skula/
(Signature)

February 22, 2006

(Date of Signature)

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Dear Sir:

This copy is supplemental to the Information Disclosure Statement mailed on March 24, 2005.

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this

information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

In accordance with §1.97(b), since this Information
Disclosure Statement is being filed either within three months
of the filing date of the above-identified national application
(other than a continued prosecution application under
§1.53(d)), within three months of the date of entry into the
national stage of the above identified application as set forth
in §1.491, or before the mailing date of a first Office Action
on the merits of the above-identified application, or before
the mailing date of a first Office Action after the filing of a
request for continued examination under §1.114, no additional
fee is required.
In accordance with §1.129(a), this Information
Disclosure Statement is being filed in connection with 🗌 the
first or 🗌 second After Final Submission, therefore:
<pre>Statement in Accordance with §1.97(e)</pre>
(attached); or
Please charge Deposit Account No. 10-
0750/ / the fee of \$180.00 as set forth
in §1.17(p).

In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, or an action that otherwise closes prosecution and that it is accompanied by one of:

\boxtimes	Statement in Accordance with §1.97(e)
	(attached); or
	Please charge Deposit Account No. 10-
	0750/ / the fee of \$180.00 as set forth
	in §1.17(p).
In	accordance with §1.97(d), this Information
	tatement is being filed after the mailing date of
either a Fin	al Action under §1.113 or a Notice of Allowance
under §1.31	1 but before the payment of the Issue Fee.
Applicant(s)	hereby petition(s) for consideration of this
Information	Disclosure Statement. Included are: Statement in
Accordance w	ith §1.97(e) as set forth below and the fee of
\$180.00 as s	et forth in §1.17(p).
☐ Co	pies of each of the references listed on the
attached For	m PTO-1449 are enclosed herewith.
□ c _o	pies of references listed on the attached Form PTO-
	_
1449 are enc	losed herewith EXCEPT THAT:
_	In view of the voluminous nature of references
	In view of the voluminous nature of references
	[list as appropriate], and the likelihood that
	these references are available to the Examiner,
	copies are not enclosed herewith.
	If any of the foregoing publications are not
	available to the Examiner, Applicant will
	endeavor to supply copies at the Examiner's
	request.
⊠ Co	pies of only foreign patent documents and non-
patent liter	ature are enclosed in accordance with 37 CFR 1.98
(a) (2)	

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	igtimes There are no listed references which are not in the English language.
	The relevance of those listed references which are not in the English language is as follows:
	Attached are copies of search report(s) from corresponding patent application(s), which are listed on the attached Submission Under MPEP 609 D. Copies of the references listed on the search report(s) are included except for those previously cited in an IDS mailed .
	Attached are the following non-published pending patent applications which may be deemed relevant, which are listed on the attached Submission Under MPEP 609 D.
	Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750/MIT5038USNP,/ERS. This form is submitted in triplicate. Respectfully submitted,
	/E. Richard Skula/ E. Richard Skula Reg. No. 31,061 Attorney for Applicants
	Johnson & Johnson One Johnson & Johnson Plaza New Brunswick, NJ 08933-7003 (732) 524-2718 DATED: February 22, 2006





IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : T. C. May, et.al.

Serial No. : 10/808,764 Art Unit: 3733

Filed: March 25, 2004 Examiner: R.R. Shaffer

For : IMPLANTABLE CROSS-PIN FOR ANTERIOR CRUCIATE LIGAMENT

REPAIR

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(Date of Deposit)
E. Richard Skula
(Name of applicant, assignee, or Registered Representative)
/E. Richard Skula/
(Signature)
(Signature)
February 22, 2006
(Date of Signature)

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

STATEMENT UNDER 37 C.F.R. §1.97(e)

In accordance with 37 C.F.R. §1.97(e), certification is hereby made that:

\boxtimes	Each item of information contained in the information
disclosure	statement was first cited in any communication from a
foreign pat	cent office in a counterpart foreign application not more
than three	months prior to the filing of the Information Disclosure
Statement;	or

Disclosure Statement was cited in a communication from a foreign

No item of information contained in the Information

patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this Information Disclosure Statement, was known to any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

/E. Richard Skula/

E. Richard Skula Reg. No. 31,061 Attorney for Applicants

Johnson & Johnson
One Johnson & Johnson Plaza
New Brunswick, NJ 08933-7003
(732) 524-2718
DATED: February 22, 2006

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PTO/SB/08A (08-00)
Approved for use through 10/31/2002. OMB 0651-0031
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)
Sheet 1 of 1

a collection of information unless it displays a	valid OMB control number.
Application Number	10/808,764
Filing Date	March 25, 2004
First Named Inventor	T.C. May
Group Art Unit	3733
Examiner Name	R.R. Shaffer
Attorney Docket Number	MIT5038USNP

			U.S. PATENT DOCUMENTS		
Examiner Cite		Kind Code ² (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document	Pages, Columns, Lines, where relevant passages or relevant figures appear
110.	6,132,433	Α	Whelan, et. al.	10-17-2000	
	2005/033301	A1	G. Lombardo, et. al	02-10-2005	
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	Cite No. ¹	Cite No.1 Number 6,132,433	No.1 Number (if known) 6,132,433 A	Cite No.1 Number Kind Code2 Name of Patentee or Applicant of Cited Document 6,132,433 A Whelan, et. al.	Cite No.1 Number Kind Code2 Number (if known) Name of Patentee or Applicant of Cited Document mm-dd-yyyy 6,132,433 A Whelan, et. al. Date of Publication of Cited Document mm-dd-yyyy

FOREIGN PATENT DOCUMENTS Foreign Patent Document Date of Publication Pages, Columns, Lines, of Cited Document Name of Patentee or where relevant Examiner passages or relevant mm-dd-yyyy Applicant of Cited Document Initials Office³ Number⁴ KindCode⁵ figures appear No.1 EP 0 829 233 Amei Technologies Inc. 03-18-1998

Examiner	***************************************	Date	
Signature		Considered	

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^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. 2 See attached Kinds of U.S. Patent Documents. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

SUBMISSION UNDER MPEP 609 D

Application Number 10/808,764

Filing Date March 25, 2004

First Named Inventor T.C. May

Group Art Unit 3733

Examiner Name R.R. Shaffer

Attorney Docket Number MIT5038USNP

Page 1 of 1

U.S. PATENT DOCUMENTS

			U.S. Patent Docum	nent	
Examiner Initials	Cite No. ¹	Name of Patentee or Applicant of Cited Document	Number	Kind Code ² (if known)	Pages, Columns, Lines, where relevant passages o relevant figures appear
	 				
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FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No.1	Name of Patentee or Applicant of Cited Document	Foreign Pa	atent Docume	KindCode ⁵	Pages, Columns, Lines, where relevant passages or relevant figures appear	T ⁶
		OTHER PRIOR ART - N	ON PATENT	LITERATU	DE DOCUMEN	ure .	
Examiner 's Initials*	Cite No.1	Include name of the author (in C title of the item (book, magazine volume-issue number(s	APITOL LE	TTERS), ti	tle of the artic	cle (when appropriate), g, etc.), date, page(s),	T²
		EP Search Report dated January 27, 2	006 for EP A	pplication No	. 05251849.5		

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